

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES BRETT, BUILDING )  
INSPECTOR OF TOWN OF HAMILTON, ) C.A. No. 05-11542 RGS  
Plaintiff, )  
 )  
v. )  
 )  
IRINA V. TEMKINA, )  
 )  
Defendant. )  
 )

**JOINT MOTION TO WITHDRAW PLAINTIFF'S MOTION FOR SANCTIONS  
AGAINST NON-PARTY WITNESS AND STIPULATION**

The plaintiff Charles Brett, Building Inspector of Town of Hamilton and  
defendant Irina V. Temkina hereby agree and stipulate as follows:

1. Plaintiff's Motion for Sanctions Against Non-Party Witness electronically filed on October 20, 2006 is hereby withdrawn.
2. Defendant shall not seek to introduce the testimony of Elliott Tiomkin, or any documentary evidence from Mr. Tiomkin, for any purpose.

Dated: October 24, 2006

Plaintiff,  
CHARLES BRETT, BUILDING  
INSPECTOR OF TOWN OF  
HAMILTON,

Defendant,  
IRINA V. TEMKINA.

By: /s/ Donna Brewer MacKenna  
Donna B. MacKenna, B.B.O. No. 545254  
CASNER & EDWARDS, LLP  
303 Congress Street  
Boston, MA 02210  
(617) 426-5900  
mackenna@casneredwards.com

/s/ Irina V. Temkina  
Irina V. Temkina  
5 Newton Road  
Gloucester, MA 01930  
(860) 597-3020  
temkinai@yahoo.com

**LOCAL RULE 7.1 CERTIFICATION**

I certify that the defendant Irina V. Temkina and I have communicated by email and jointly agreed to the filing of this motion.

/s/ Donna Brewer MacKenna  
Donna Brewer MacKenna

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the *pro se* defendant by email and by first class mail, postage pre-paid on October 24, 2006.

/s/ Donna Brewer MacKenna  
Donna Brewer MacKenna

6134.22/396108.1